

FILED

MO:19-CR-00265(1) DC
MO:22-CV-00028

Judge Counts

APR 08 2022

4-4-22

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

This is Jesse Hardee #43834-480. Here are some documents and some things I would like you to look at on the 2255 I filed.

Ground-1 Ineffective assistance of Counsel - My Court Appointed Attorney not once set down with me and ask me any questions about my case. I had no idea about the P.S.R. and how much it would effect in Court. I wrote the Court and Mr. Rogers about my concerns and had ask for New Counsel and was denied. It violated my 6th Amendment of the Constitution of the United States. I have not had effective Counsel since all this started. I also feel like there was conflict of interest. Mr. Rogers was for judge at that time and my case suffered severely due to the lack of concern and attention he had for my case. Also had ask him to have my State charges run concurrent. And he did do that.

Ground 2. Plead Guilty to 300 grams of methamphetamine. It was the amount that was sent to the lab. It was actually 273 grams. I had no understanding that that amount could go up.

Mr. Rogers told me that I was looking at 151 months to 188 months and if I took it to trial they would life me. 365 months. That is Life.



Ground 3. Search Warrant no one gave consent for them to search. No one was served the Search Warrant. No one was giving a copy. Someone found the Search Warrant on Instagram and printed it out. No attachments A or B. Inventory sheet is not filled out. They searched the building on the property and it was not on the listed Search Warrant. There is no mention of currency, but in their report it says they found currency. no inventory sheet for that either. No amounts on anything they said they found.

Ground 4. P.S.R. The amounts of meth I have I have been charged with came from the information on the P.S.R. I have not been allowed time to even read over this important document that has been used for guide lines for sentencing me to prison. So I have no way of knowing what is even in there. If the information is incorrect or is these things that needed to be addressed. I don't know. But I do know that the money that we were sued for in Crane County Texas, was used again to convert into Ghost Dope. That is the only way they come up with this unbelievable amount I have requested my P.S.R. and have been denied. If the Burden falls on the Defendant to prove this to the courts how can I do that if I'm not allowed to have documentation that I need to defend myself

Jesse Harcke 43834-480
 Jesse Harcke 43834-480 2 of 2

David Rogers, NO: MO:19-CR-00265(1)-DC
MO:22-CV-00028

I am writing you in regard to NO: MO:19-CR-00265
I am struggling to understand how my case
is being handled by you. I have 4 issues
that are vital to my defense. I know
that the U.S.C. and Sentencing commission
has an important relation to the sentence
guideline range. My defense is to get
sentenced to 120 months. I understand I
may not get my desired guideline. I do
know that it is possible to get sentenced
to 120 months.

The most important issue today is
that you, my attorney, were not present to
counsel me during my Pre-Sentence-Interview.
The P.S.R. is very important to my defense.

The next issue is, that at my plea
hearing the Factual Basis was not completely
accurate nor was all of it true. Your counsel
has been ineffective.

I am trying to resolve everything I
can in the most humble way possible. Please
consider the impact of your ineffective counsel.
Please respond immediately. I am sending a
copy of this to the court.

Jesse Harder
Jesse Harder

I'm sending this on to the ~~Clerk~~
Clerk of the Court

David Rogers, NO: MO:19-CR-00265(1)-DC
MO:22-CV-00028

I am writing you in regard to NO: MO:19-CR-00265. I am struggling to understand how my case is being handled by you. I have 4 issues that are vital to my defense. I know that the U.S.C. and Sentencing Commission has an important relation to the sentence guideline range. My defense is to get sentenced to 120 months. I understand I may not get my desired guideline. I do know that it is possible to get sentenced to 120 months.

The most important issue today is that you, my attorney, were not present to counsel me during my Pre-Sentence-Interview. The P.S.R. is very important to my defense.

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Jesse Harder
Jesse Harder

I'm sending this on to the ~~Clerk~~
Clerk of the Court

NO. MD:19-CR-00265(1)-DC

MO:22-CV-00028

David Rogers,

Feb 29, 2019

I do not want "3-4 ounces of Meth per week for a year" and "1 ounce of Heroin per week for a year" to even be mentioned in court at sentencing period. It is a blatant lie and completely false. I specifically pled guilty to what comes back from the lab results. I had a minur-minor role in this conspiracy. 3B1.2 applies to me. I need you to officially request that I get that downward departure. 4A1.2B I need the P.S.R. to only asses 1 point for the charges I caught on the same day. 4A1.3 I am officially requesting that the court concludes that my prior criminal history is less than the guidelines indicate and for the court to depart below the guidelines. My convictions in 2008 were all lowest class felonies and are over 10 years old. They do not count as points towards criminal history. My convictions in 2004 were all drug charges and were low level felonies. I officially request that the government does not file prior felony information, namely: "Notice of Enhancement under 21 U.S.C. 851(a)(1)".

Jesse Hardee

Jesse Hardee

MD:22-CV-00028

David Rogers,

Feb 29, 2019

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Jesse Harder

Jesse Harder

UNITED STATES DISTRICT COURT

for the
Western District of Texas

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

115 Dorothea Street, Crane, Texas

Case No.

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Western District of Texas
(Identify the person or describe the property to be searched and give its location):

See attachment A

I find that the affidavit(s), or any recorded testimony establish probable cause to search and seize the person or property described above, and that such search will reveal (Identify the person or describe the property to be seized):

See attachment B

YOU ARE COMMANDED to execute this warrant on or before December 10, 2019 (not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Ronald C. Griffin, U.S. Magistrate Judge
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of

Date and time issued: 11-26-19 @ 5:35 pm

City and state: Midland, Texas

United States Magistrate Judge Ronald C. Griffin

Printed name and title

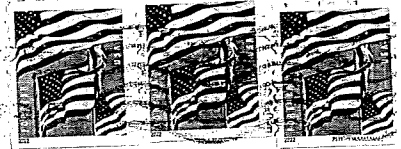
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11/11/11

Jessie Flores 2375269
John Michelson Unit
13055-F.M. 3522
Abilene, TX 79601

ABILENE TX

06 APR 2022 PM



RECEIVED

APR 08 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____

Legal
Mail

"Clerk of Court"
United States District Court
Western District of Texas
200 East Wall Street, Room 222
Midland, TX 79701

Legal
Mail

7970135201

